

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

P.S. – Missappropriation of Education Funds in Pellakur Mandal, Nellore District – Disciplinary action and criminal action initiated against Sri K.Rama Manohar, the then M.E.O., Pellakur Mandal and P.E.O. (Retd.), Nellore District and Sri A.V.S. Bhanumurthy, the then HM, M.P. Elementary School, Bangarampeta and M.R.P, Pellakur Mandal – Charges are proved and misappropriation established in the regular inquiry – Further action against the Charged Officer Sri K.Rama Manohar, P.E.O. (Retd.), Nellore District abated as he was expired on 14.7.2010 and order to recover the loss caused to Government – Imposition of the penalty of dismissal from Government service action against Sri A.V.S. Bhanumurthy, formerly M.R.P. and presently working as S.G.T., M.P.P.S., Perumallepalle, Pellakur Mandal, S.P.S., Nellore District, besides recovery of loss caused to Government – Orders – Issued.

=====

EDUCATION [SE.Vig.I (2)] DEPARTMENT

G.O.Rt.No. 367

Dated: 13.3.2013

Read the following:-

- 1) From the C&DSE., Hyderabad, Lr. Rc.No.967/C2-3/2003, dated 07.8.2003.
- 2) G.O.Ms.No.151, Education (SE.Ser.I) Department, dated 27.12.2003.
- 3) Govt. Memo.No.13846/Ser.I(3)/2003-1, dated 27.12.2003.
- 4) Govt. Memo.No.13846/Ser.I(3)/2003-5, dated 04.5.2004.
- 5) Govt. Memo.No.13846/Ser.I(3)/2003-6, dated 04.5.2004.
- 6) G.O.Rt.No.472, Education (SE.Ser.I) Department, dated 04.5.2004.
- 7) From Sri K.Rama Manohar, PEO (Retd.), Z.P., Nellore, W.S.D., dt.10.8.2004.
- 8) Govt. Memo.No.13846/Vig(2)/2003-9, dated 01.10.2004.
- 9) G.O.Rt.No.24, Education (SE.Vig.2) Department, dated 11.01.2005.
- 10) Proceedings of the DEO., Nellore, Rc.No.2084/A6/03, dated .10.2006.
- 11) G.O.Rt.No.522, Education [SE.Vig.I(2)] Department, dated 02.8.2007.
- 12) D.O. Letter from Smt. Chandana Khan, IAS., COI., No.63/COI-CK/A1/2005, dated 24.11.2009.
- 13) D.O. Letter from Smt. Chandana Khan, IAS., COI., No.857/COI-CK/A1/2007, dated 24.11.2009.
- 14) Govt. Memo.No.13846/SE-Vig.I(2)/2003-50, dated 05.3.2012.
- 15) Govt. Memo.No.13846/SE-Vig.I(2)/2003-51, dated 05.3.2012.
- 16) Govt. Memo.No.13846/SE-Vig.I(2)/2003-52, dated 05.3.2012.
- 17) From the C&DSE., Hyd., Lr. Rc.No.2762/D2-4/2004, dated 05.12.2011.
- 18) From the C&DSE., Hyd., Lr. Rc.No.236/C2-3/2010, dated 28.3.2012.
- 19) Govt. Letter No.13846/SE-Vig.I(2)/2003-61, dated 16.7.2012.
- 20) From the Secretary (I/c), A.P.P.S.C., Hyderabad, Lr. No.1515/RT/3/2012, Dated 13.8.2012.

ORDER:

Whereas, the Commissioner & Director of School Education, A.P., Hyderabad in his letter 1st read above has stated that the C.E.O., Z.P., Nellore, in his letter dated 29.4.2003 has informed that Sri K.Rama Manohar, P.E.O., prior to joining as P.E.O., Nellore, has worked as M.E.O., M.P., Pellakur for the period from 18.12.1998 to 18.9.2002 and he was the Drawing Officer for the Elementary Education Funds of Mandal Parishad, Pellakur and during the State Audit, the District Audit Officer has reported certain serious irregularities including misappropriation on the accounts for the year 2001 – 2002 to the extent of Rs.15,72,368/- has been committed by the M.E.O., i.e., Sri K.Rama Manohar, P.E.O., Nellore who was retired on 30.4.2003 and therefore requested the Government to take disciplinary action against the incumbent as per Rule 9 of A.P. Revised Pension Rules, 1980;

P.T.O.

2. And whereas, after examination of the matter, Government have framed the Article of Charges in the reference 6th read above against Sri K.Rama Manohar, P.E.O. (Retd.) and after examination of the written statement of defence of Sri K.Rama Manohar, P.E.O. (Retd.), the case was entrusted to Smt. Chandana Khan, IAS., the then Commisioner of Inquiries, in the reference 9th read above, for conducting regular inquiry into the matter. In the meanwhile, instructions were also issued in the reference 8th read above, for lodging a complaint before the local Police Station for criminal action against Sri A.V.S. Bhanumurthy, Head Master, M.P. Elementary School, Bangarampeta and M.R.P, Pellakur Mandal, for misappropriation of the amount and to recover the amount; and also to take disciplinary action agaিসnt him, in the matter.

3. And whereas, the District Educational Officer, Nellore has framed Article of Charges, in his Proceedings 10th read above, against Sri A.V.S.Bhanumurthy, formerly MRP & HM, M.P.E.S., Bangarampet, Pellekur Mandal, Nellore District.

4. And whereas, the Government have appointed Smt. Chandana Khan, IAS., the then Commissioner of Inquiries, in the reference 11th read above, to conduct regular inquiry into the charges framed against Sri A.V.S. Bhanumurthy, formerly M.R.P. and HM, Pellakur also, since the issue in the matter is one and the same.

5. And whereas, orders were also issued to prosecute Sri K.Rama Manohar, PEO (Retd.), Sri A.V.S. Bhanumurthy, HM, MPES., Bangarampeta and MRP., Pellakur Mandal, among other person, in G.O.Rt.No.551, Education (SE.Vig.I.2) Department, dated 04.8.2008 and G.O.Rt.No.552, Educaiton (SE.Vig.I.2) Deptarmnt, dated 04.8.2008 respectively, for misappropriation of funds of Mandal Education of Pellakur Mandal, Nellore Distritct. The Additional Director General of Police, C.I.D., A.P., Hyderabad in his letter C.No.4706/C3-CID/2006, dated 10.8.2010 has informed that a charge sheet was filed in the IInd AJFCM Court, Nellore on the accused officials. The out come in the matter is awaited.

6. And whereas, Smt. Chandana Khan, IAS., Commissioner of Inquiries has conducted inquiry on both the charged officials, i.e., Sri K.Rama Manohar and Sri A.V.S. Bhanu Murthy, and submitted her inquiry reports in the references 12th & 13 read above, stating that the charges framed against both the officials are held proved.

7. A copy of the inquiry report of the Commissioner of Inquiries have been communicated to the Charged Officials, i.e., Sri K.Rama Manohar, P.E.O. (Retd.) and Sri A.V.S. Bhanumurhty, former M.R.P., Pellakur Mandal, through references 14th & 15th read above, under Rule 21 of APCS (CC&A) Rules, 1991, with a direction to submit their expnalnation in the matter.

8. The Commissioner & Director of School Education, A.P., Hyderabad has furnished exaplanation of Sri A.V.S. Bhanumurthy, formerly M.R.P. and presently working as S.G.T., M.P.P.S., Perumallepalle, Pellakur Mandal, S.P.S.R. Nellore District and reported that Sri K.Rama Manohar, P.E.O. (Retd.), Nellore was expired on 14.7.2010 and the explanation was not received in the matter.

Contd... on 3rd

9. Government have examined the entire issue and observed that where the misappropriation is proved in the regular inquiry, the charged official, if he is retired from Government service, shall be imposed with a penalty of 100% cut in his pension permanently, and if he is in service, shall be imposed with a penalty of dismissal from service, besides the recovery of amount so misappropriated. In the instant case, the Charges framed against the both charged officials viz., (1) Sri K.Rama Manohar, PEO (Retd.), Nellore, and (2) Sri A.V.S. Bhanumurthy, formerly M.R.P. and presently working as S.G.T., M.P.P.S., Perumallepalle, Pellakur Mandal, S.P.S.R. Nellore District are established in the regular inquiry conducted by the Commissioner of Inquiries. One of the Charged Official, Sri K.Rama Manohar, P.E.O. (Retd.), Nellore was expired on 14.7.2010 and therefore decided to abate disciplinary proceedings against the deceased Sri K.Ram Manohar, PEO (Retd.), Nellore and to recover the loss caused to Government, as per Rule 9 (7) of A.P. Revised Pension Rules, 1980; and to impose a penalty of dismissal from service against Sri A.V.S. Bhanumurthy, formerly M.R.P. and presently working as S.G.T., M.P.P.S., Perumallepalle, Pellakur Mandal, S.P.S.R. Nellore District besides recovery of loss caused to Government from him.

10. Accordingly, Government hereby abates further action against the deceased Sri K.Ram Manohar, PEO (Retd.), Nellore, in the disciplinary action initiated against him, as per rules in force, and order to recover the amount from the legal heirs of the deceased in proportion to the loss caused to Government by him in the matter, as per Rule 9 (7) of A.P. Revised Pension Rules, 1980 and imposes the penalty of dismissal from service against Sri A.V.S. Bhanumurthy, formerly M.R.P. and presently working as S.G.T., M.P.P.S., Perumallepalle, Pellakur Mandal, S.P.S.R. Nellore District, on the charges held proved, besides recovery of amount, in proportion to the loss caused by him to Government, forthwith.

11. The orders issued above are not prejudice to the criminal case pending against them.

12. The Commissioner & Director of School Education, A.P., Hyderabad shall take necessary action, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJESHWAR TIWARI
PRL. SECRETARY TO GOVERNMENT (SE)

To

Sri A.V.S. Bhanumurthy, S.G.T., M.P.P.S., Perumallepalle, Pellakur Mandal,
S.P.S.R. Nellore District through the Commissioner & Director of School Education,
A.P., Hyderabad.

The legal heirs of deceased Sri K.Ram Manohar, PEO (Retd.),

Nellore, through the Commissioner & Director of School Education, A.P., Hyderabad.

The Commissioner & Director of School Education, A.P., Hyderabad (copies of the Inquiry Reports of the COI are enclosed).

The District Educational Officer, S.P.S.R. Nellore District.

The Secretary, A.P.P.S.C., Hyderabad.

Copy to the Secretary, A.P.V.C.

Copy to SF/SCs.

//forwarded by order///

SECTION OFFICER